

House Study Bill 178 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
HEALTH AND HUMAN SERVICES
BILL BY CHAIRPERSON MEYER)

A BILL FOR

1 An Act relating to requirements and prohibitions relating
2 to the reporting of vaccination and immunization
3 administration.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 22.7, subsection 2, Code 2023, is amended
2 to read as follows:

3 2. Hospital records, medical records, and professional
4 counselor records of the condition, diagnosis, care, or
5 treatment of a patient or former patient or a counselee or
6 former counselee, including outpatient. However, confidential
7 communications between a crime victim and the victim's
8 counselor are not subject to disclosure except as provided in
9 section 915.20A. However, the Iowa department of public health
10 and human services shall adopt rules which provide for the
11 sharing of information among agencies and providers concerning
12 the maternal and child health program including but not
13 limited to the statewide ~~child immunization information system~~
14 registry, while maintaining an individual's confidentiality.

15 Sec. 2. NEW SECTION. 135.39F **Required use of statewide**
16 **immunization registry by health care professionals — licensee**
17 **discipline.**

18 1. In addition to any other requirements relating to the
19 ordering or administration of vaccinations and immunizations
20 applicable to specific health care professionals, a health
21 care professional shall become an enrolled user and report
22 the administration of vaccinations and immunizations to the
23 statewide immunization registry.

24 2. The applicable licensing board or entity for a health
25 care professional may adopt rules pursuant to chapter 17A to
26 administer this section.

27 3. For the purposes of this section and section 135.39G:

28 a. "Enrolled user" means a user of the registry who has
29 completed an enrollment form that specifies the conditions
30 under which the registry can be accessed and who has been
31 issued an identification code and password by the department.

32 b. "Health care professional" means a person who is
33 licensed, certified, or otherwise authorized or permitted by
34 the law of this state to administer health care in the ordinary
35 course of business or in the practice of a profession and

1 who is authorized to order or administer vaccinations and
2 immunizations.

3 *c.* "Statewide immunization registry" or "registry" means
4 the database and file server maintained by the department as
5 well as the software application that allows enrolled users to
6 exchange immunization or health screening records

7 4. A health care professional who violates this section is
8 subject to licensee discipline pursuant to section 147.55.

9 Sec. 3. NEW SECTION. 135.39G **Statewide immunization**
10 **registry — patient consent or refusal.**

11 A health care professional required to be an enrolled user
12 and report the administration of vaccinations and immunizations
13 to the statewide immunization registry under section 135.39F
14 or any other provision of law shall obtain, prior to making a
15 report, written consent or refusal from the patient, or if the
16 patient is a minor, from the minor's parent or legal guardian,
17 to advise the health care professional regarding the reporting
18 of the administration of the vaccination or immunization to the
19 statewide immunization registry. The health care professional
20 shall submit a copy of the completed written consent or refusal
21 form to the statewide immunization registry. A patient, or
22 a minor patient's parent or legal guardian, as applicable,
23 may withdraw or amend the written consent or refusal at any
24 time. If consent is subsequently withdrawn by a patient or
25 a minor patient's parent or legal guardian, as applicable,
26 the patient's information shall be deleted from the statewide
27 immunization registry.

28 Sec. 4. Section 155A.46, subsection 1, paragraph d, Code
29 2023, is amended to read as follows:

30 *d.* Prior to the ordering and administration of a vaccination
31 or immunization authorized by **this subsection**, pursuant to
32 statewide protocols, a licensed pharmacist shall consult
33 and review the statewide immunization registry ~~or health~~
34 ~~information network~~. The board shall adopt rules requiring
35 the reporting of the administration of ~~vaccines~~ vaccinations

1 and immunizations authorized by this subsection to a patient's
2 primary health care provider, primary physician, and a the
3 statewide immunization registry ~~or health information network~~.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill requires a health care professional who
8 is authorized to order or administer vaccinations and
9 immunizations, in addition to any other requirements applicable
10 to the health care professional relating to the ordering or
11 administration of vaccinations and immunizations, to become an
12 enrolled user and report the administration of vaccinations and
13 immunizations to the statewide immunization registry. The bill
14 authorizes the applicable health care professional licensing
15 boards to adopt administrative rules to administer the bill.
16 The bill makes conforming changes to eliminate the option of
17 reporting to a health information or a child immunization
18 information system network. The bill defines "health care
19 professional" for the purposes of the bill. A health care
20 professional who violates the bill is subject to licensee
21 discipline.

22 The bill also requires a health care professional who is
23 required to be an enrolled user and report the administration
24 of vaccinations and immunizations to the statewide immunization
25 registry to obtain, prior to making a report, written consent
26 or refusal from the patient, or if the patient is a minor, from
27 the minor's parent or legal guardian, to advise the health
28 care professional regarding the reporting. The health care
29 professional shall submit a copy of the completed written
30 consent or refusal form to the statewide immunization registry.
31 A patient, or a minor patient's parent or legal guardian,
32 as applicable, may withdraw or amend the written consent or
33 refusal at any time. If consent is subsequently withdrawn
34 by a patient or a minor patient's parent or legal guardian,
35 the patient's information shall be deleted from the statewide

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1 immunization registry.